

APPENDIX A – Proposed Scheduling Order

VLSI's Proposal	Intel's Proposal	Item
Agreed.	July 22, 2019	Plaintiff serves preliminary ² infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also produce (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.
July 31, 2019	July 31, 2019	CMC
Agreed.	August 14, 2019	Deadline for motions to transfer
September 6, 2019	September 20, 2019	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s), and (3) summary, annual sales information for the accused product(s) for the prior two years, unless the parties agree to some other timeframe.

² The parties may amend preliminary infringement contentions and preliminary invalidity contentions without leave of court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and the amendment is based on material identified after those preliminary contentions were served and should do so seasonably upon identifying any such material. Any amendment to add claims requires leave of court so that the Court can address any scheduling issues.

VLSI's Proposal	Intel's Proposal	Item
September 20, 2019	September 25, 2019	Parties exchange claim terms for construction and proposed constructions
October 4, 2019	October 2, 2019	Parties exchange proposed claim constructions for claim terms proposed by the other party
October 18, 2019	October 11, 2019	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions
October 25, 2019	October 16, 2019	Parties file Opening claim construction briefs, including any arguments that any claim terms are indefinite.
November 15, 2019	Agreed.	Parties file Responsive claim construction briefs.
November 22, 2019	Agreed.	Parties file Reply claim construction briefs.
Agreed.	November 26, 2019	Parties submit Joint Claim Construction Statement, optional tutorials, and consolidated briefing collated by Opening, Response, and Reply.
December 6, 2019 Set by the Court.	December 6, 2019 Set by the Court.	Markman Hearing at 9:00 a.m.
Agreed.	December 13, 2019	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
Agreed.	January 17, 2020	Deadline to add parties
Agreed.	January 31, 2020	Deadline to serve Final Infringement and Invalidity Contentions.
Agreed.	February 28, 2020	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or claims.
N/A	February 28, 2020	Deadline to serve parties' Requests for Production
Agreed.	May 22, 2020	Close of Fact Discovery
Agreed.	May 29, 2020	Opening Expert Reports

VLSI's Proposal	Intel's Proposal	Item
Agreed.	June 26, 2020	Rebuttal Expert Reports
Agreed.	July 17, 2020	Close of Expert Discovery
Agreed.	July 24, 2020	Deadline to meet and confer to discuss narrowing the number of claims asserted and prior art references at issue. The parties shall file a report within 5 business days regarding the results of the meet and confer.
Agreed.	July 31, 2020	Dispositive motion deadline and <i>Daubert</i> motion deadline.
Agreed.	August 14, 2020	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, designations)
Agreed.	August 28, 2020	Serve objections to pretrial disclosures/rebuttal disclosures
Agreed.	September 4, 2020	Serve objections to rebuttal disclosures and File Motions <i>in limine</i>
Agreed.	September 11, 2020	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, designations); file oppositions to motions <i>in limine</i>
Agreed.	September 18, 2020	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i>
Agreed.	September 29, 2020	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i>
Agreed. ³	October 2, 2020	Final Pretrial Conference
October 5, 2020	October 5, 2020 (as specifically directed by the	<i>VLSI's Proposal: Jury Selection/Trial in -254 Action (First Case)</i>

³ [***VLSI's Proposal:*** VLSI agrees with the foregoing pretrial disclosure dates for the first case, but reserves the right to request separate pretrial disclosure deadlines for the second and third cases as needed.]

VLSI's Proposal	Intel's Proposal	Item
	Court as the case progresses)	<i>Intel's Proposal: Predicted Jury Selection/Trial for all 3 consolidated cases</i>
December 14, 2020		<i>VLSI's Proposal: Jury Selection/Trial in -255 Action (Second Case)</i>
January 25, 2021		<i>VLSI's Proposal: Jury Selection/Trial in -256 Action (Third Case)</i>